

**In the United States District Court
For the Western District of Virginia
Roanoke Division**

CLERK'S OFFICE U.S. DISTRICT COURT
AT ROANOKE, VA
FILED

OCT 19 2022

LAURA A. AUSTIN, CLERK
BY: ABeeson
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Delroy Josiah-El-Bey
(Moorish-American)

Plaintiff

-v-

Josiah, Delroy #1028534
(Corporate Commercial Entity)
Carl A. Manis, Regional Director
Melvin C. Davis, Warden
J. Blevins, Major
I/O Rivero (Investigator)
John Does (Wallens Ridge Employee)
Jane Does (Wallens Ridge Employee)

Defendants

42 U.S.C § 1983

Complaint

Civil Action No.

7:22CV597-D

"The Court shall take Judicial Notice"

I. Introduction

- A. "We hold these truths to be self-evident, that man is made in the image and after the likeness of the Great God, Allah, their creator, that no man can be a Negro, black, or colored, (etc.), and be attached to the Human Family."

(The Honorable, Holy Prophet Noble Drew Ali, 1886-1929)

- B. This suit is brought by Moors/Moorish-Americans to redress the deprivation, under color of state law, or Constitutional rights secured by the Constitution and Treaties of the United States.
- C. This case and controversy presents enough "Public demands", to merit a declaration of corrected "Status and Jurisdiction".

II. Jurisdiction and Venue

- A. This is a civil action authorized by 42 USC section 1983, to redress the deprivation, under color of state law, or rights secured by the Constitution of the United States.
- B. The District Court has Jurisdiction under 28 USC section 1331, 1332(A)(2), 1343(A)(3) and 1362.
- C. This Moor/Moorish-American seeks declaratory relief pursuant to 28 USC section 2201, 2202 and claims for injunctive relief are authorized by 28 USC section 2283, 2284, and Rule 65 of the Federal rules of civil procedure.
- D. The Western District of Virginia is an appropriate venue under 28 USC section 1391(b)(2), because it is where the events giving rise to this action occurred.

III. Identification of Plaintiff

- A. By special appearance, as a real aggrieved party to this matter, I, Delroy Josiah-El-Bey, in propria persona, sui juris, (definitely not Pro Se), a Moor/Moorish-American, I am the plaintiff in the above-entitled action, (hereinafter referred to as Moorish-Plaintiff), do declare the following.
- B. Moorish-Plaintiff is a natural born, free, living, breathing, flesh, and blood human, processing all 5/5th components of spirit, soul, body, nationality, and creed, with sentient, and moral existence. A whole man upon the soil; a juris et de jure, also known as a sovereign and an aboriginal/indigenes of the land; not a statutory or United States citizen under the 14th amendment.
- C. Moorish-Plaintiff's true appellation is not Josiah, Delroy #1028534, or any variations or derivatives thereof or therefrom, printed or written, spelled in upper or lower case, whole or in part, in any form as used in commercial actions, declarations, presentments, instruments, etc., in any government institutions, or in any court of law, whether criminal, civil, or commercial.
- D. Moorish-Plaintiff is a Moor/Moorish-American citizen of the pure and clean, Moorish-American nation. We are a people of a divinely constituted government, with the flag of our ancient forefather's ad indigenes to these Americans and adjoining islands, the lands of our birth. Moorish-American is the modern name of the descendants of the ancient Moabites (the inhabitants of the North-west and South-west Africa), born in

America (etc.). Moorish-Americans are a nation ordained to "Be" by the Great God, Allah, and have recognized in inalienable rights and protections guaranteed and living, which a "black people", etc., can never claim. (See Exhibit A)

- E. Moorish-Plaintiff is not a "Black", "Negro", "Colored" nor "African-American persons", etc. These labeled amounts to no more than Christianized property, etc.

IV. Status of Moorish-Plaintiff

- A. Moorish-Plaintiff is currently being hold against his will in the location of Big Stone Gap, Virginia, at Wallens Ridge State Prison (Wallens Ridge), pursuant to an unconstitutional judgment entered by the Federal District Court of the Virgin Islands, St. Croix Division.
- B. Moorish-Plaintiff is currently being held at Wallens Ridge under color of authority, color of law, and under the forced unlawful application of the slave status of "Black Offender".

V. Other Aggrieved Parties

- A. Edmundo Miguel Coto-El-Bey is also under an unconstitutional judgment rendered in the courts of the Virgin Islands.
- B. Terrence Delbridge-El-Bey, and
- C. Alfred Lane-Bey, are both being held under unconstitutional judgment rendered in the courts of Virginia.
- D. All the above mentioned are conscious Moors/Moorish-Americans and are all under the same facts and circumstances, that gave rise to this action.
- E. They are also my co-counsels in this legal and of National matters, being that only Moors/Moorish-Americans can Represent, Present, and Depict themselves as being Moors/Moorish-Americans, only Moors can present self.
- F. Due to administrative retaliation, we have all been separated and isolated from each other, in violation of the 1st Amendment.

VI. Defendants

- A. Josiah, Delroy #1028534 (and the various derivatives), is a Wallens Ridge, Virginia Department of Corrections (VADOC). Corporate Commercial Entity, a "Black Offender", is the instrument that is used to subject this Moorish-Plaintiff to institutional policies that govern slaves.
- B. Regional director, Carl A. Manis, is the administrator of policies to the institutions in the Western Region. He was made aware of my claims, which he did not even address.
- C. Warden, Melvin C. Davis, is legally responsible for the day-to-day operations of the prison and the implementation of policies. He was made aware of my claims, he too did not address all of them.
- D. I/O Rivero, is an investigating officer of the institution. He claimed to have investigated my allegations and concluded, unequivocally, that they were unfounded and without merit. Conspicuously, the issue of my status of being a Moor/Moorish-American was passed over.
- E. Major, J. Blevins responded to my complaint (of 5-10-22 alleging retaliation) and did confirm that I was removed from the kitchen (work assignment), because of my alleged complaint about being treated as a slave.
- F. Each defendant is being sued individually and in his official capacity, except Josiah, Delroy #1028534, it is sued as a corporate commercial entity. At all times mentioned in this complaint, each defendant acted under the color of state law.

VII. Factual Events

- A. As a disciplinary, I was first transformed to VADOC and was received at Wallens Ridge, in the summer of 2001, from the Virgin Islands Bureau of Corrections (VI. BOC).
- B. I returned to the VI. BOC in 2008.
- C. In the summer of 2009, as a disciplinary, I was back at Wallens Ridge.
- D. From the summer of 2009 to the present day, I have remained incarcerated at Wallens Ridge.

- E. In August 2021, I filed a motion to vacate (A) void judgment in the District Court of the VI, that sentenced me.
- F. As of July 2022, it is still pending.
- G. Around April 25, 2022, I submitted a complaint to the Grievance Department at Wallens Ridge, asserting my true identity and proper status along with a demand for relief and compensation.
- H. Approximately three days later, I was taken off my work assignment (as a kitchen worker).
- I. Around this same time, I received a response from the institutional investigator, I/O Rivero, declaring unequivocally, to have concluded, that my complaint was unfounded and without merit.
- J. On or about, 5-2-22, I submitted a grievance to the Grievance Department, seeking a review of the findings of the investigator I/O Rivero.
- K. The next day, I was removed from the "Privilege/Kitchen Pod, along with other Moors/Moorish-Americans that voiced a similar complaint. We were all isolated from each other.
- L. On or about 5-10-22, I submitted a complaint to the Grievance Department, alleging an act of retaliation was committed against me for filing the complaint of 4-25-22.
- M. On 5-25-22, Major J. Blevins responded to my complaint, confirming that I was removed from the kitchen and pod based on my alleged complaint of 4-25-22.
- N. On 5-26-22, seeking a review of the Major's response to my complaint, I submitted a grievance to the Grievance Department for filing. It was rejected at intake, reason stated was a lack of documentation of suspension or termination of my kitchen employment.
- O. On 5-31-22, I submitted a complaint (along with the grievance), seeking a review of the denial of my grievance at intake, based on the assessment of lacking documentation.
- P. On 6-1-22, I received a grievance receipt from the Grievance Department confirming that my grievance was received and logged.

- Q. On 6-2-22, Operations Manager, S. Coughran, responded to my complaint, (seeking a review of the denial of my grievance at intake). He stated that, "Your grievance was logged on 5-31-22".
- R. 6-30-22 / 12:00AM, was the deadline/next action date to respond to my grievances. That date and time came and passed with no responses to my grievance.
- S. Around 6-2-22, I had exhausted all available administrative remedies pertaining to the complaint of 4-25-22.
- T. Through the grievance process, the Warden and the Regional Director were both made aware of my assertion of my status of being a Moor/Moorish-American, both denied me any relief citing policies and the interstate contract.
- U. On 7-5-22, I submitted a complaint to the Grievance Department, seeking a review and confirmation that 6/30/22 – 12:00AM, was in fact, the deadline/next action date on the grievance (alleging retaliation) for the level one response.
- V. On 7-6-22, the Grievance Department responded by way of BJ. Ravizee, informing me that the grievance was returned to me on 6-15-22.
- W. On 7-7-22, I submitted a complaint to the Grievance Department, seeking a remedy to rectify the problem of me never having received the grievance, period, no fault of my own.
- X. On 7-8-22, the Grievance Department returned my complaint with instructions to re-submit on an updated form (that was provided).
- Y. On 7-11-22, as instructed, I resubmitted my complaint to the Grievance Department.
- Z. On 7-12-22, the Grievance Department provided me with all necessary documentation, to effectuate a late level 1 appeal, to the Regional Administration, thus exhausting my administrative remedies.
- AA. On 7-12-22, pertaining to the original complaint of 4-25-22, I caused a notice of claim to be forwarded to the office of the Attorney General. It was submitted through the institutional mailroom to be processed, which included certified, returned receipt and postage fees.

BB. On 7-13-22, I was provided, for the first time, a termination (of employment) document, date 5-31-22, by B.J. Ravizee of the Grievance Department. It stated that my termination was due to security administration, Warden Davis and Major Blevins.

VIII. Summary of Contentions

1. The action that is presented before this court puts the issue of my "Proper Person" and slavery at odds with each other.
2. The issue of slavery is considered by a many, to be a taboo subject and not suitable for general discussion, yet, true history will reveal that, that the United States has never been without a system of it.
3. In 1865, the ratification of the Thirteenth Amendment, indeed, abolished the institution of slavery, but also sustained it conditionally (only upon the "duly" convicted).
4. The Thirteenth Amendment constituted the supreme lawful effort of the United States to complete the maximum, of what it could possibly do to end slavery within its jurisdiction.
5. The United States does not have the power to free any of the ex-slaves. (This we must do for ourselves). Nowhere in the reconstruction amendments is "freedom of the slaves" declared, only the abolishment of the institution of slavery.
6. Slave masters, slaves, slave labels, and customs of denationalization, were all declared out of law in 1865, along with the institution, right??? Wrong!!! Under color of law, the institution (with its customs) is alive and well.
7. Three years later (1868), through the 14th Amendment, the "ex-slaves" were "unionized" and becomes property (subjects) of the jurisdictions of the entire United States, via, words of State Courts, where in they reside.
8. The 14th amendment assumes all African descendants are so-called "Blacks" (etc.). The 1865 outlawed Christian slave labels are rebuilt, Ex Post Facto, constitutionally into the American fabric, thus, "Blacks" (etc.), are politically prisoners, regardless of their offense, conviction or state of servitudes. (See: Any World Almanac, under 14th Amendment).
9. The "First Blood" crime of "Denationalization" was committed upon them, long before any subsequent violations they may have allegedly performed. "Blacks" are not mentally or

spiritually equipped to commit criminal acts against any nation, when they themselves have no national constitution, principles or inherent government of their own.

10. The word "Black", etc., is translated in all U.S. courts today as "Civiliter Mortuus", meaning civilly dead, dead in view of the law and has no rights the citizens are bound to respect. (See Dred Scott Decision of 1857). "Blacks", merely exist in the colorable citizenry of the 14th and 15th Amendments, which are in essence. "Dead badges", of granted privilege, not rights.
11. The Virgin Islands' government certified my live birth as "Black". This act reinstates slavery and, is an act of "denationalization", in violation of the thirteenth Amendment, numerous Treaties, U.N. Declarations and the V.I. Governments own Organic Act.
12. I have been placed out of my "Proper Person" to be treated unfairly and unjustly, hence "Blacks", etc. are lawfully still 3/5 of all other persons (Commercial Property).
13. The enactment of the Thirteenth Amendment, legally, brought forth a new nation upon the continent and adjoining islands. The Moorish-Americans also known as the tribe of "Ali".
14. The Moorish-American nation was founded and fathered by The Honorable, Holy Prophet Noble Drew Ali. The first avatar and patriot of his newly formed nation. (See Exhibit-A)
15. I was born into this new nation but was abruptly abducted under the feigned citizenship of the 14th Amendment's "All Persons", (Commercial Property).
16. Instead of being what the Great God, Allah, created, a Moor/Moorish-American Moslem, I was made into a "Black American Christian", unlawfully in violation of the Treaty of Peace and Friendship between the U.S. and Morocco, 1787/1863 (See Exhibit-B), the 1st, 4th, 5th, 9th, 10th, and 13th Amendments, also Federal and International laws of "Denationalization".
17. This "Black Christian", Ex Post Facto, identity was assessed by presumption, as my status during adjudication of criminal (commercial) charges, (that I committed apologetically) in the Federal District Court of the V.I. (In violation of the 1st, 4th, 5th, 9th, 10th, and 13th Amendments).
18. Now, it is well settled law, that the assessment of an improper, Ex Post Facto status would leave any court "in want of jurisdiction", and its judgment void. (The Black label, etc., is an unconstitutional presumption).

19. This violates the Thirteenth Amendment's authorization of the "Status of Slave" upon the "duly" convicted.
20. It is my claim that I have been subjected to the status of slave, since my conviction in 1999 but more specifically, since 2001 to the present, by being housed via interstate compact at Wallens Ridge, unconstitutionally in violation of the 13th and 8th Amendments (Morocco Treaty) (See Exhibit-B).
21. Wallens Ridge via, its Regional Director, Warden, Subordinates, and policies has perpetuated the initial crime of denationalization, committed by the V.I. Government while profiting from it. In violation of Federal Rule Title 18 section 241-242, the United States Constitution's Article 1 section 9 (CL.3) and 10, the 1st, 5th, 8th, 9th, 10th, and 13th Amendments. (And the tort of false imprisonment).
22. The right to be what the Great God, Allah, created is inalienable and protected under the 1st, 4th, 5th, 9th, 10th, and 13th Amendments.
23. My religious way of life and beliefs instituted by the Holy Prophet Noble Drew Ali is diametrically opposed to the "Black Christian Identity", etc.
24. Also under the 1st Amendment's establishment clause, prohibits governments, institutions, etc., from favoring one religion over another. The Christian slave labels of "Black", etc., are being applied to Moorish Moslems, thru, color of authority, law, and policies.
25. Finally, while exercising the 1st Amendment right to redress the government of grievance, I was retaliated against, in response to filing a complaint asserting my "Proper status of a Moor/Moorish-American sovereign", by known and unknown employees at Wallens Ridge.
26. I am unequivocal and emphatic in my proclamation of who I am. (Seauton Gnothi)
27. I am a Moor by indigenous descent, a Moorish-American by birth right. A Moslem by Creed and Sovereign by status. I demand proof to the contrary.
28. I am presumed to be a non-human entity/commercial property, such as a "Black", "Black Persons", "Black Offender", "Black American Christian", Virgin Islander, citizen of the United States or statutory citizen, felon, etc. All these fictitious entities are devoid of true identity personage. (All presumptions which impair constitutionally protected rights are tort and are impermissible in any court of law.)

29. The United States constitution identifies the above as 3/5th of all other persons or more commonly termed "slaves". A slave I am not. A slave will not proclaim himself, whereas a Godman sees freedom as a birth right and natural obligation.
30. What my ancient forefathers were, I am today without doubt or contradiction. There is no one who can change man from the descendant nature of his forefathers; unless his power extends beyond the great universal creator, Allah, Himself.
31. In law, all rights are property and any deprivation of rights without consideration is a deprivation of property in violation of the Fifth Amendment takings clauses. Those who profess me to be "Black" are essentially stealing, in violation of due process.
32. "If men, through fear, fraud, or mistake should in terms renounce or give up any natural right, the eternal law of reason and the grand end of society would absolutely vacate such renunciation. The right of freedom being a gift of (the Great God, Allah), it is not in the power of man to alienate this gift and voluntarily become a slave". (Samuel Adams, 1772)

IX. Statement of Issues

- A. All people, who are free nationals, are born with the inalienable right, to the inherent nationality of their forefathers (e.g., Chinese, German, Egyptian, or Moorish, etc.).
- B. Any act, lawful, or disguised (colorable) which deprives me of this birth right given by the Creator, is an act of "Denationalization" and "Genocide".
- C. The Virgin Islands' government cannot claim any right from an unlawful or colorable act nor convey to Virginia through its Doc, any authority over my persons.
- D. The interstate contract between the V.I. Government and Virginia is founded on the care and custody of incarcerated fictitious entities/property.
- E. Such as Virgin Islands' inmate, felons, U.S. citizen, legal residents and the "Black" identity, etc. These labels are devoid of true identity personage and excludes me, in my proper person, as a Moor/Moorish-American.
- F. My status as a Moorish-American sovereign has not been altered, diminished nor abrogated by the adjudication of criminal commercial liability in the District Court of the Virgin Islands.

- G. At no time, have I willingly, knowingly, intentionally nor voluntarily, agreed to abdicate my position as a sovereign for the far lesser wretched status of a "Black", etc.
- H. Not through signature, words, actions or in-actions and any assumptions (presumptions) or implied consent is emphatically refuted.
- I. The Pseudonym-ethnic classification of "Black", etc., is being applied to Moors/Moorish-Americans, which is highly discriminatory and prejudicial.
- J. According to all true and divine records of the human family, there is no "Black Race" attached to the Human Family. There is only the Human race.
- K. In fact, a court can be employed under strict scrutiny, to expose the "Equal Protection Clause", as to not include "Blacks", etc., because these classifications are deemed "suspect" and legally listed in law dictionaries as "suspect classifications".
- L. Being "denationalized" and certified as "Black", etc. or by design, being born "Black", etc., is not a birth right. There is no heritage in it and nothing to attain, (but more "Blackness" "death"). There is no saving power in any slave name.
- M. This brings to surface the Constitutional legalization of "Blacks", etc., as citizens in lieu of the Dred Scott decision and their abolishment with the institution of slavery. This is a natural and legal impossibility. These "classifications" via birth certificates are fallible and lawfully suspect.
- N. "Blacks", etc., are labels of denationalized domesticated African human property. They were never designed to have rights. Because all rights are contingent upon universal, natural and/or civil laws. Before there can be rights, there must first be laws from which rights derive their strength. Since, "Blacks" do not have a constitution or laws of autonomy from which govern themselves, they cannot have lawful rights (See Dred Scott Decision of 1854).

X. Legal Claims

- A. Moorish-Plaintiff reallege and incorporate by reference paragraphs; I. A-C, III. B-E, IV. A-B, V. A-F, VI. A-F, VII. T, VIII. 3-32, IX. A-N.
- B. The Pence and Friendship Treaty of 1787/1863 between the United States and Morocco, has articles built in, on the treatment of Moors accused of crimes and also prohibits slavery of Moors. (See Exhibit-B)
- C. As a Moor/Moorish-American, the application of the state of slave is in clear violation of the International Covenant of Civil and Political rights, the International Covenant on Economical, Social, and Cultural rights and the U.N.'s Declarations of Human Rights and on the rights of indigenous peoples. (See Amistad Mutiny of 1841).
- D. An old Latin maxim runs, "since nominee homo non-Est" (without a name a man is nothing), especially a national descent name, resolution 75, in the Pennsylvania House of Representatives, in April 1933, gave Moors/Moorish-Americans the right of use the suffices Bey or El (or both). At the end of our names, also the right is protected under the 1st, 5th, 9th, 10th Amendments. (See Exhibit-A)

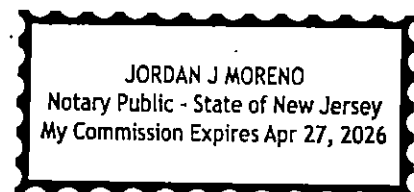
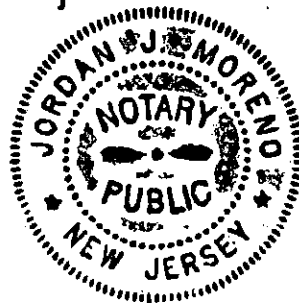
XI. A Demand for Relief

- A. This Moorish-Plaintiff has plain, adequate or complete remedy at law to redress the wrongs described herein. I have been and will continue to be irreparably injured by the conduct of the defendants, unless this court grants the declaratory and injunctive relief which is being sought.
- B. Wherefore, this Moorish-Plaintiff respectfully, by right, demands that this court enter judgement granting this Moorish-Plaintiff.
- C. A declaration that the acts and omissions described herein violated this Moorish-Plaintiff's rights under the Constitution, Treaties, and laws of the United States.
- D. A declaration confirming the status of this Moorish Plaintiff.
- E. A permanent injunction ordering defendants not to apply the status of slave to this Moorish-Plaintiff.

- F. A permanent injunction ordering defendants to acknowledge and not to restrict the usage of the religious and tribal suffixes of Bey and El's (or both) annexed to Moors/Moorish-Americans names.
- G. A permanent injunction ordering defendants to exclude this Moorish-Plaintiff from their interstate corrections contract agreement.
- H. Compensatory damage in the amount of \$350,000.00 against each defendant, jointly and severally.
- I. Punitive damage in the amount of \$1,500,000.00 against Regional Director and Warden each.
- J. Punitive damages in the amount of \$500,000.00 against the remaining defendants each.
- K. A jury trial on all issues triable by jury.
- L. This Moorish-Plaintiff's cost in this suit.
- M. Any additional relief this court may deem just, proper, and equitable.
- N. 10/14/2022
- O. Respectfully submitted

XII. Verification

- A. I have read the foregoing complaint and hereby affirm that the matters alleged therein are true, except as to matters alleged un-information and belief and to those, I belief them to be true. I declare under penalty of perjury that the foregoing is true and correct.
- B. Executed at Wallens Ridge State Prison, 272 Dogwood Drive, Big Stone Gap, VA 24219
- C. Delroy Josiah - El-Bey
- D. Delroy Josiah-El-Bey



[Handwritten signature]

P. Mr. Josiah - B.
272 Dogwood Drive
Big Stone Gap, VA 24219



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